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I hereby centify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class muil in an envelope scheressed to the Mail Stop ISSUB FEE niddress above, or being facsimile transmitted to the USPTO (\$71) 273-2885, on the date indicated below. 027765 NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O.BOX 506 MERRIFIELD, VA 22118 Brende Lin 10/17/2006 ADSHAN2 00000016 503105 10709853 (Sign (Dede 10/17/2006 1400 00 DA ATTORNEY DOCKET NO. CONFIRMATION NO 02 FC: 504 PPLICATION 69.00 DA FIRST NAMED INVENTOR FILING DATE 3852 Chia-Yon Chang 10/709,853 06/02/2004 TITLE OF INVENTION: Method to Reduce the Offset Component of Tracking Error in an Optical Disc Player PREV. PAID ISSUE FEE TOTAL FRE(S) DUE DATE DUE SMALL HITTY ISSUE FRE DUE PUBLICATION FEE DUE APPLN, TYPE \$1700 12/20/2006 \$1400 \$300 nonprovisional CLASS-SUBCLASS EXAMINER ART UNIT EDUN, MUHAMMAD N 2827 369-044410 Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). 2. For printing on the patent front page, list Winston Hsu (1) the names of up to 3 registered parent attorneys or agents OR, afternatively. Change of correspondence address (or Change of Correspondence Address form PTO/SB/132) attached. (2) the name of a single firm (having as a member a registered automey or agent) and the names of up to 2 registered patent automeys or agents. If no name is listed, no mane will be printed. L "Fee Address" indication (or "Fee Address" Indication form PTO/Sh/47; Rev 03-02 or more recent) anached. Use of a Customer Number is required. 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) PLEASE NOTE: Unless an assignment is identified below, no assignment data will appear on the patent. If an assignment is identified below, the document has been filled for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filling an assignment. (B) RESIDENCE: (CITY and STATE OR COUNTRY) (A) NAME OF ASSIGNEE 15F, 392, Ruey Kuang Road, Neihu, Taipei City, Taiwan, R.O.C. LITE-ON IT CORPORATION Please check the appropriate assignce category or categories (will not be printed on the patent): 🔲 Individual 🖾 Corporation or other private group entity 🔘 Covernment 4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above) 4a. The following fec(s) are submitted: A INSUE Fee A check is enclosed. Payment by credit card, Form PTO-2038 is attached. 2 Publication Fee (No small entity discount permitted) ☑ The Director is hereby authorized to charge the required feets), any deficiency, or credit any overpayment, to Deposit Account Number 50.3105 (cuclose an extra copy of this form). Advance Order - # of Copies 5. Change in Entity Status (from status indicated above) L b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2). Applicant Claims SMALL ENTITY status. See 37 CFR 1.27. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignce or other party in interest as shown by the records of the United States Patent and Trademark Office. 10/17/2006 Authorized Signature 41,526 Winston Hsu Registration No. ... Typed or printed name This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 172 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Petent and Trademark Office, U.S. Department of Commerce, P.O. Rox 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FERS OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Rox 1450, Alexandria, Virginia 22313-1450.

PTOL-85 (Rev. 07/06) Approved for use through 04/30/2007.

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SUBJECT: ISSUE FEE PAYMENT

TOTAL PAGES: 2 PAGES (INCLUDING COVER PAGE)

Winston Hsu 10/17/2006

Application No.: 10/514,413

Independent claim 14 recites, inter alia,

calculating, from said data, a <u>frequency spectrum</u> distribution of said speech waveform along the time axis, and estimating, based on the <u>frequency spectrum</u> distribution, a second portion of said speech waveform, for which change is well controlled by said source.

Claims 1, 8, and 14 previously recited "a distribution of spectrum." Page 3, lines 6-15 of the Office Action appears to have broadly construed the previously recited "spectrum," reading the last plot in Lea, Figure 2 (illustrating "sonorant energy," according to Lea), and which the Office Action describes as "an energy spectrum plot" (Office Action, page 3, line 14). However, claims 1, 8, and 14 are amended by this Amendment to more clearly and particularly recite "a *frequency* spectrum distribution," the use of which is not disclosed or suggested by Lea for "calculating . . . a second portion of said speech waveform," as recited in amended claims 1, 8, and 14.

Mermelstein and Schmidbauer do not bridge the above gap between claims 1, 8, and 14 and Lea. Thus, none of claims 1, 8, and 14 are obvious in view of the cited art. Accordingly, Applicants respectfully request withdrawal of the rejections of independent claims 1, 8, and 14, and dependent claims 2-4, 9-11, and 15-17, as "dependent claims are nonobvious if the independent claims from which they depend are nonobvious." *In re Fritch*, 972 F.2d 1260, 1266 (Fed. Cir. 1992); *accord* MPEP § 2143.03 ("If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious"). Additionally, withdrawal of any objections to, and allowance of, dependent claims 3, 10, and 16 is respectfully requested.

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New Claims 20-23

New claims 20, 21, and 22 respectively reproduce the subject matter of claims 3, 10, and 16, without recitation of limitations related to "linear predicting means" or "linear prediction analysis." In view of the statement of reasons for allowability set forth in section 12 of the Office Action, Applicants respectfully submit that new claims 20-22 are recite allowable subject matter, on a basis independent of their dependency on allowable claims 1, 8, and 14. Additionally, as claims 20, 21, and 22 respectively depend upon independent claims 1, 8, and 14, which are allowable for at least the reasons discussed above, Applicants respectfully submit that claims 20-22 are allowable based on their dependency on allowable claims 1, 8, and 14. In view of the above, Applicants respectfully request allowance of claims 20-22.

New claim 23 likewise is dependent on allowable claim 1, and is therefore allowable. Further, the limitations recited in claim 23 are independently distinguished over Lea. In Lea, a syllabic nucleus is decided on the changes of the levels of the sonorant energy and the very low frequency energy (see, e.g., page 42.7.2, right column, third full paragraph). In contrast, claim 23 recites "means for . . . estimating the second portion, based on the frequency spectrum distribution, as a portion where local variance of changes of the frequency spectrum is at a local minimum." These limitations are not disclosed or suggested by Lea, and Mermelstein and Schmidbauer do not bridge this gap between claims 23 and Lea. In view of the above, Applicants respectfully request allowance of claim 23.

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Conclusion

In view of the above remarks, Applicants respectfully submit that the application is in condition for allowance, and respectfully request the Examiner's favorable reconsideration as to allowance. The Examiner is invited to contact the Applicants' representative listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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